

U.S. Patent Application No. 09/778,220

**REMARKS****Amendments to the Claims**

The Applicants and the undersigned thank Examiner Webb for her careful review of this application. Claims 1-28 are pending in the present application, with Claims 1, 20, and 26 being independent. Applicants have amended Claims 1, 5-20, and 22-27 herein. No new matter has been added.

Consideration of the present application is respectfully requested in light of the above amendments to the application and in view of the following remarks.

**Summary of Telephonic Interview of August 31, 2006**

The Applicants and the undersigned thank Examiner Webb and Supervisory Examiner Weiss for their time and consideration given during the telephonic interview of August 31, 2006. During this telephonic interview, the rejection of Claims 1-25 under 35 U.S.C. § 112, first paragraph, was discussed.

Specifically, the Applicants' representatives explained that one of ordinary skill in the art would know how to make and or use the invention utilizing the representative working example disclosed in the present application to calculate the potential assignments and to select an assignment, without undue experimentation.

However, Examiner Webb and Supervisory Examiner Weiss still expressed some concern that they were not convinced that one of ordinary skill in the art would be able to calculate the equation disclosed in the application to determine the most efficient assignment solution. Specifically, the examiners were concerned that the calculation does not set forth the most efficient solution because the application did not precisely define the weighting factors that are utilized to calculate the equation.

The Applicants' representatives acknowledged the examiners' concerns regarding the "most efficient" language and the calculation of the equation utilizing the weighting factors defined in the application. In response, the Applicants have addressed the examiners' concerns with a claim amendment, along with the enclosed declaration of Alicja Brown.

The Applicants and the undersigned request Examiner Webb to review this interview summary and to approve it by writing "Interview Record OK" along with her initials and the date next to this summary in the margin as discussed in MPEP § 713.04.

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**Claim Rejections Under 35 U.S.C. § 112, first paragraph**

In the Office Action dated May 18, 2006, the Examiner rejected Claims 1-25 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Applicants respectfully traverse that rejection.

In response to the Office Action dated September 22, 2005, Applicants submitted the declaration of Irina Ioachim, co-inventor of the present application, disclosing that one of ordinary skill in the art would be able to read the specification as presented and determine how to achieve the invention defined by the pending claims, including how to calculate the potential assignments and determine an assignment and route, without undue experimentation.

In the present Office Action dated May 18, 2006, the Examiner has stated that the previously filed declaration was insufficient to overcome the 35 U.S.C. § 112, first paragraph, rejection of Claims 1-25. Specifically, the Examiner said that the co-inventor of the application is not considered to have an unbiased opinion, and could benefit from the decision, and that the co-inventor of the application is considered to be one of expert skill in the art, due to the closeness of the inventor has with the subject matter.

Applicants respectfully disagree with the Examiner's conclusion concerning the declaration of Irina Ioachim. Nonetheless, in response to the Examiner's concerns, the Applicants respectfully submit the enclosed Declaration of Alicja Brown, a person of ordinary skill in the art in the field of industrial engineering that has no connection with the present application. In summary, Ms. Brown's declaration provides that one of ordinary skill in the art of industrial engineering would be able to use the representative working example disclosed in the present application, including the representative values for the weighting factors, to calculate the plurality of costs of potential assignments and to select an assignment with the lowest cost value, without undue experimentation.

Accordingly, Applicants submit that the rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn.

**Claim Rejections Under 35 U.S.C. § 112, second paragraph**

In the Office Action, the Examiner rejected Claims 1-25 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended

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independent Claims 1 and 20 and dependent claims 5 and 9 to address the Examiner's specific concerns. Accordingly, Applicants submit that the rejection under 35 U.S.C. § 112, second paragraph, of Claims 1-25 should be withdrawn.

#### **Claim Rejections Under 35 U.S.C. § 102**

In the Office Action on page 4, the Examiner listed the heading of "Claim Rejections - 35 USC § 102," but failed to indicate that any claims were rejected under 35 USC § 102. Applicants' representative spoke with Examiner Webb on June 16, 2006, and she indicated that this particular section was in error and should have been deleted prior to sending out the Office Action. Accordingly, Applicants submit that no remarks are necessary in response to this heading.

#### **Claim Rejections Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected Claims 26-28 under 35 U.S.C. § 102(e) as allegedly being unpatentable over U.S. Patent No. US 6,278,965 to Glass et al. (hereinafter Glass). Applicants respectfully traverse that rejection.

#### **Independent Claim 26**

The rejection of Claim 26 is respectfully traversed. Applicants submit that the document cited by the Examiner fails to describe, teach, or suggest: (1) a central computer system comprising a plurality of databases operable for managing traveler processes and transmitting passenger data, baggage data, and flight data; (2) a server computer connected to the central computer system comprising an electronic dispatch software module configured to calculate a plurality of potential baggage assignments based on the passenger data, baggage data, and flight data by calculating a cost value for each of a plurality of potential baggage assignments for transferring the baggage from inbound conveyances to connecting conveyances and selecting a baggage assignment from the plurality of potential baggage assignments by saving one of the plurality of potential baggage assignments with the lowest cost value as the selected assignment and to calculate a plurality of potential routes based on the passenger data, baggage data, and flight data by calculating a distance value for each of a plurality of potential routes for completing the selected assignment from the item data and selecting a route from the plurality of potential routes by saving one of the plurality of potential routes with the shortest total distance

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value as the selected route; (3) at least one tug client, comprising a computer mounted on a motorized baggage vehicle and operable by a baggage handler, configured to receive the selected baggage assignment and the selected route from the server computer via a wireless network, present the selected baggage assignment and the selected the baggage handler, and transmit messages to the server computer via the wireless network; and (4) at least one dispatch client operable by a dispatcher and configured to receive the selected assignment and selected route from the server computer via the wireless network and distribute the selected assignment and selected route to the tug clients via the server computer via the wireless network, as presently recited in amended independent Claim 26.

#### The Glass Reference

The Examiner relies on the Glass reference to teach "a system with a central computer system 106, a server computer 104 running a software module (see Figure 1), one client computer 102 coupled to a server, and a second client computer coupled to a server 110."

#### The Input Management Subsystem 106 of Glass is not the same as the Central Computer System of Claim 26

The Glass reference fails to teach a central computer system comprising a plurality of databases operable for managing traveler processes and transmitting passenger data, baggage data, and flight data, as recited in amended independent Claim 26. Instead, Glass discloses that the input management subsystem 106 is a general-purpose means of acquiring data from various sources 115 by utilizing "a collection of software programs dealing with various *external* input data sources 115." See Col. 13, lines 48-50. Furthermore, Glass states that "the [input management subsystem] 106 has no direct connection to the database 105." See Col. 24, lines 18-19.

However, the central computer system of Claim 26 actually comprises a plurality of databases, including the reservation system (RES) 110 database and the operations support system (OSS) 115 database, that *reside* on the central computer system 105. See page 6, lines 1-3 of the Application. Therefore the plurality of databases that reside on the central computer system are *internal* input data sources. This is opposite from the input management subsystem 106 of Glass that receives data over network or serial links, such as FTP file transfer, from

*external* data sources, and then passes that data on to the information subsystem 104. See Col. 13, lines 50-56.

The Information Subsystem 104 of Glass is not the same as the Server Computer Comprising an Electronic Dispatch Software Module of Claim 26

The Glass reference fails to teach a server computer connected to the central computer system comprising an electronic dispatch software module configured to calculate a plurality of potential baggage assignments based on the passenger data, baggage data, and flight data by calculating a cost value for each of a plurality of potential baggage assignments for transferring the baggage from inbound conveyances to connecting conveyances and selecting a baggage assignment from the plurality of potential baggage assignments by saving one of the plurality of potential baggage assignments with the lowest cost value as the selected assignment and to calculate a plurality of potential routes based on the passenger data, baggage data, and flight data by calculating a distance value for each of a plurality of potential routes for completing the selected assignment from the item data and selecting a route from the plurality of potential routes by saving one of the plurality of potential routes with the shortest total distance value as the selected route, as recited in amended independent Claim 26.

The Glass reference discloses an information subsystem 104 that "receives data from the various subsystems 102, 106, 108 and 110 of the traffic adviser 100, processes the data and stores it in the database 105, and then feeds back or makes available the data stored in the database 105 to the executive subsystem 102, the prediction subsystem 108, and the client interface subsystem 110 using embedded SQL statements." See Col. 19, lines 21-27. More specifically, in reference to Figure 4, Glass discloses four classes that are included in the information subsystem 104 that are operable for the following: connecting to the traffic adviser database and for inserting error messages into an error message table (405); creating, updating, and querying information about an arriving flight (404); and creating, updating, and querying information about a departing flight in the database (403). See Col. 19, lines 32-65 and Figure 4. The Glass reference fails to disclose any features that are associated with element (406). Furthermore, Glass discloses that the information subsystem 104 is operable to "1) communicate traffic raw data Inputs from automatic data streams and manual inputs to the prediction subsystem; 2) provide inter-process management and control; 3) support information processing; and 4) provide system housekeeping." See Col. 13, lines 38-46.

Therefore, none of the above features disclosed by the information subsystem 104 of Glass, and noted above, teach an electronic software dispatch module that is configured to calculate a plurality of potential baggage assignments and routes based on the passenger data, baggage data, and flight data as recited by Claim 26. In particular, Glass doesn't disclose the processing of baggage data anywhere in the application. Furthermore, none of the above features of the information subsystem 104 of Glass teach a step of performing calculations. Instead, Glass describes the information subsystem 104 as a "central coordination subsystem." See Col. 11, lines 45-46.

The Client Computers 102 or 110 of Glass are not the same as the Tug Client of Claim 26

The Glass reference fails to teach at least one tug client, comprising a computer mounted on a motorized baggage vehicle and operable by a baggage handler, configured to receive the selected baggage assignment and the selected route from the server computer via a wireless network, present the selected baggage assignment and the selected route to the baggage handler, and transmit messages to the server computer via the wireless network, as recited in amended independent Claim 26.

Glass discloses that "the primary responsibilities of the executive subsystem 102 are to control the various traffic adviser subsystems 102, 104, 106, 108, 110; to start and shut down the traffic adviser processes at scheduled times; to monitor system components for error and warning conditions; to notify the traffic adviser system support personnel of detected system errors; and, when possible, to recover from system failures. Additional duties of the executive subsystem 102 include facilitating subsystem debugging, providing remote access to the traffic adviser monitoring and control, maintaining system statistics, and managing user accounts." See Col. 14, lines 53-64.

Furthermore, Glass discloses that "the Client Interface Subsystem (CIS) 110 delivers flight status data to clients 117 in the form of display screens and a data stream. Clients 117 may choose in which form to receive data from the traffic adviser 100. Clients 117 wishing to receive display screens provide a node connection to the traffic adviser 100 on a local area network or a dial-in modem. Clients 117 wishing to receive a data stream can receive the data in the form of network TCP/IP messages or over a dial-up serial line. The CIS 110 also receives input data from clients 117 in the form of display requests and flight status updates. The display requests select the information to be displayed on a particular client screen and apply only to that screen.

The flight status updates allow controllers to enter information into the traffic adviser 100 concerning individual flights (pushback, gate arrival) and the current airport configuration (departure split, landing direction, etc.)” See Col. 29, lines 8-24.

Therefore, neither the executive subsystem 102 nor the Client Interface Subsystem (CIS) 110 of Glass teaches at least one tug client, comprising a computer mounted on a motorized baggage vehicle and operable by a baggage handler, configured to receive the selected baggage assignment and the selected route from the server computer via a wireless network, present the selected baggage assignment and the selected route to the baggage handler, and transmit messages to the server computer via the wireless network. The client of Glass is not a computer mounted on a motorized vehicle and operable by a baggage handler to receive a selected baggage assignment and a selected route. In fact, neither client of Glass is operable to perform any functions related to baggage routing or receiving baggage assignments and routes by a baggage handler operating a computer mounted on a motorized baggage vehicle.

#### Summary for Analysis of Independent Claim 26 Rejection

In light of the differences between amended independent Claim 26 and the Glass reference, Applicants submit that Glass fails to teach or suggest at least the features discussed above. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 26.

#### Summary

Based on the above, Applicants submit that independent Claims 1, 20, and 26 are patentable over the documents cited by the Examiner. Additionally, the remaining claims depend from one of the independent claims either directly or indirectly and are submitted to be patentable for similar reasons. The dependent claims also recite additional features further defining the present invention over the cited document, and Applicants submit that the cited documents do not teach or suggest integrating those features into the presently claimed invention. Accordingly, Applicants request separate and individual consideration of each dependent claim.

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**CONCLUSION**

Applicants submit the foregoing as a full and complete response to the Official Action dated May 18, 2006. Applicants submit that this Amendment and Response places the application in condition for allowance and respectfully request such action. If any issues exist that can be resolved with an Examiner's Amendment or a telephone conference, please contact Applicants' undersigned attorney at 404.572.4647.

Respectfully submitted,

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